



Children in Brunei Darussalam

Child Aware Approaches Conference
Melbourne 2014

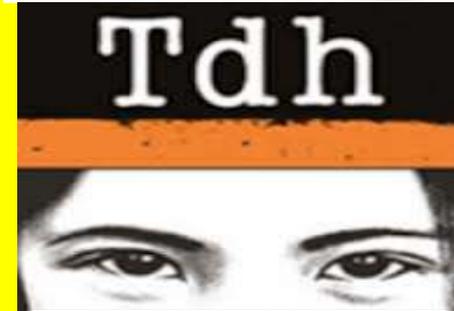
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Context and Concepts

- United Nations Convention on the Rights of the Child (UNCRC)
- Organisation of the Islamic Conference(OIC): the Covenant on the Rights of the Child in Islam (OICCRCI)
- Examples of Islamic Jurisprudence
- *“...God creates what He wills (and plans). He bestows children female or male according to his will...and He leaves childless whom He pleases (Qur’an 42:49-50)”*
- *“...Have you seen the one who refuses the Day of Judgement. For that is the one who thrust the orphan child away and does not urge the feeding of the needy (Surah 107).” (Sait 2000, 40)*

Wider Research Project

- Partnership between Islamic Relief Worldwide, Terre De Hommes, University of Qatar, Universiti Brunei Darussalam and Griffith University
- Aims:
 - To engage with religious communities in various Muslim contexts to find best practice for child protection
 - To integrate principles of Islamic Jurisprudence and community processes and mechanisms into child protection initiatives in Muslim contexts.
 - To work with Islamic scholars, Imams and Sheiks, to apply Islamic teachings in responding to issues such as physical and sexual abuse, early and unintended pregnancy, child labour, school drop-out or children living with domestic violence.



The rights of the child in Islam

- *By historical comparison with Western society, even as recent as the first half of this century, Islam was revolutionary as a force in reforming and elevating the status of the non-marital child. Constrained by the Christian doctrine of the sanctity of marriage, the non-marital child in common law jurisprudence, in contrast, was deemed filius nullius –a child of no one. (Meeusen 1995: 119)*
- *[Human rights in Islam is not how] man asserts his rights against man but how man discharges his duties toward God. It is not preoccupied with the horizontal relationship of man with his fellow man but with the vertical relationship that subsists between each man and his maker. If the vertical relationship is properly tended, all human rights problems fall automatically into place. (Weeramantry 1988, 116 in Sait 2000).*

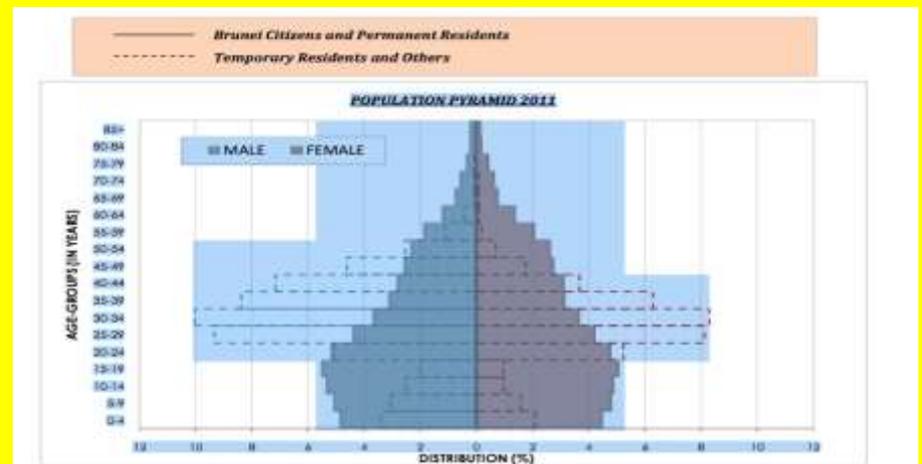
Why Brunei?

“Can we not be affected by the great discrepancy between Arab children in the countries of the ‘black gold’ and their siblings in the Arab shanty towns? How can we deal with the rights of the children without touching on the absence of opportunities for food, medical care, and education, and of adult crimes as familial and social domination, discrimination according to gender and economic sanctions which affect children most of all and rarely affect the rulers?” (Sait 2000, 49).



Negara Brunei Darussalam

Malay Islamic Monarchy (MIB) –
“...Overtly ‘MIB’ standing for the Malay formulation konsep Melayu Islam Beraja, seeks to consolidate (after first asserting the ready existence of) a single national identity, born of convergence on a dominant Malay culture, and long binding loyal citizenry to an absolute monarch of the same race, with the blessing and divine sanction of Islam” (Braiglinn 1992, 19).



The influence of culture

- The four waves history:
- Animism
- Indic
- Islam
- European Colonization
- *“We are floating in the river, going downstream, trying to catch on to something and improve our lives. For most of us there is no hope as our life in Brunei does not allow us to think of an alternate life.” (Jalaludin from Tamil Nadu in Mani 2008: 179)*



Age 'Brightlines'

- In Brunei the age of marriage is 14 for Muslim children, 15 for Chinese children and 18 for those who are neither Muslim nor Chinese (Brunei Attorney General 1984, 2006, 2010, 2012).
- *“the UNCRC has at its core a universalized and essentialized view of “the child” based on Western assumptions about children’s best interests and a single standard of age (18 and under).”* (Bluebond-Langner & Korbin, 2007).
- Sait (2000) argues that under the Shariah it is religious knowledge rather than age that informs when a child is judged as mature. Islamic theory relies not only on physical development, but also mental ability when judging whether one is a 'child'.

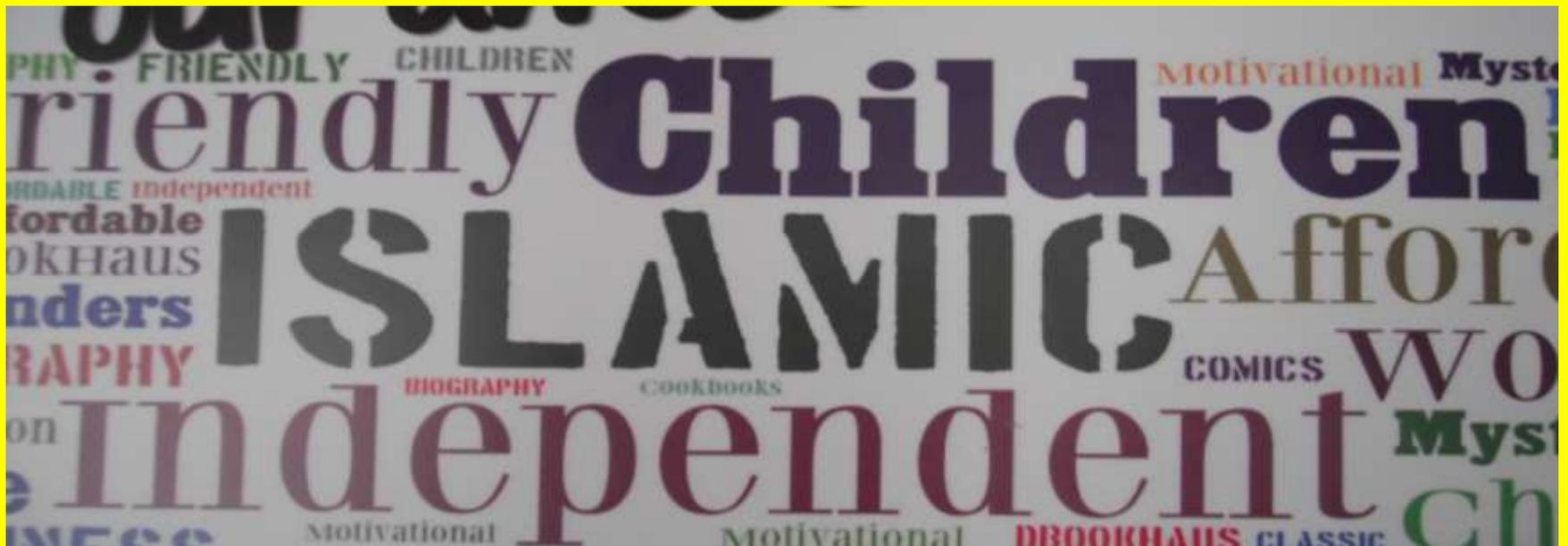


Child Voice

- *“I’ve experienced bullying in school. I am 12 now, the bullying started when I was in grade four and I had just moved. The people who I thought were my friends used my secrets and personal things against me...The safety of social networking for children has provoked a considerable debate since many of my age in Brunei has been victimised on these sites, This indeed has underlined a crucial question: Should these social networking sites exist at all?...We can protect the children from Internet harm. We can start a campaign about anti-bullying. We can change Brunei to become a more cyber protected country. We can if we try. (Anon April 2013)”*

What could this mean in a Muslim-minority context?

- The current Muslim population of Australia sits at 476,300 people, which is almost the exact population size of Brunei. This number grew by 69% between 2001 and 2011.



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